

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANNETTE CADET,

Plaintiff,

v.

KING COUNTY SHERIFF
DEPARTMENT,

Defendant.

CASE NO. C19-1813RSL

ORDER DISMISSING
CLAIMS AGAINST
INDIVIDUAL DEFENDANTS
AND EXTENDING TIME FOR
SERVICE

On December 2, 2020, plaintiff was ordered to show cause why the above-captioned matter should not be dismissed for failure to serve the summons and complaint. Plaintiff filed two responses, the first asserting that she mailed a copy of the complaint to the King County Sheriff Department on August 6, 2020 (Dkt. # 19) and the second requesting that her claims against the individual defendants be dismissed (Dkt. # 20). Having reviewed plaintiff's submissions, the Court orders as follows:

1. The Order to Show Cause (Dkt. # 18) is VACATED.
 2. The claims asserted against the individual defendants, Francisco S. Zepada, George Davis, and Kevin H. Johnson are voluntarily dismissed without prejudice.
 3. Plaintiff's attempted service on the sole remaining defendant is defective.
- Pursuant to Federal Rule of Civil Procedure 4(c) and (d), it is plaintiff's responsibility to have a person who is at least 18 years old and not a party to the lawsuit serve a summons and a copy of the complaint on defendant or to obtain a waiver of the service

ORDER DISMISSING CLAIMS AGAINST
INDIVIDUAL DEFENDANTS AND
EXTENDING TIME FOR SERVICE – 1

1 requirement from defendant. Service on a local governmental entity may be
2 accomplished by delivering the summons and complaint to the entity's chief executive
3 officer personally or by following the procedures set forth in RCW 4.28.080. There is no
4 indication that plaintiff served a summons on the King County Sheriff Department or
5 that she satisfied the requirements for personal service.

6
7 The Court will extend the period for service for another 45 days to allow plaintiff
8 one last opportunity to comply with the rules of service. On or about January 6, 2020,
9 the Clerk of Court sent plaintiff a blank summons and an instruction letter. Plaintiff
10 must present a properly completed summons to the Clerk for signature and seal.¹ The
11 summons and a copy of the Amended Complaint must be personally served on the King
12 County Sheriff Department or plaintiff must obtain a waiver under Fed. R. Civ. P. 4(d).
13 If proof of service or a waiver has not been filed by February 17, 2021, this matter will
14 be dismissed.

15
16 Dated this 8th day of January, 2021.

17 

18 Robert S. Lasnik
19 United States District Judge
20
21
22
23
24

25 ¹ If plaintiff has misplaced the summons or needs assistance completing the form, she
26 should contact the Clerk's Office.